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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/178,887	10/27/1998	YOSHINORI SUGAHARA	018656-048	5088

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EXAMINER

TRAN, DOUGLAS Q

ART UNIT	PAPER NUMBER
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2624

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DATE MAILED: 04/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/178,887

Applicant(s)

SUGAHARA, YOSHINORI

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,4,6,10,11,13-19,21-23 and 27-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,6,10,11,13-19,21-23 and 27-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1, 11, 13, 22, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Onaga (US Patent No. 5,862,404).

As to claim 1, Onaga teaches:

a plurality of printers (i.e., 110a to 110e in fig. 1) and a plurality of computers (150a to 150d in fig. 1) connected to the print server (i.e., 120 in fig. 1);

the print server includes a job observation module (i.e., a software within the server) for monitoring and gathering the status of the plurality of printers connected to the print server, and sends the gathered status to the plurality of computers simultaneously (note: the file server which maintains 3 types of files 'col. 4, lines 41-42' included in a single file having information regarding all the output devices 110 in LAN 'col. 4, lines 55-58', and which provides to all of workstations 150 'col. 6, lines 26-32');

(it is noted that col. 4, lines 60-65 describes that the status information from the peripheral devices is stored in a central location from which all workstations obtain it. Another important factor is that discovery need be performed only once for all intelligent peripheral devices and all workstations; and col. 6, lines 31-33 also describes that after the file server

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provides the devices status information to the workstations, **each** workstation 150 can read the device status file and display the device status information “col. 6, lines 29-30 and 32-33”. And the device status files are preferably updated with sufficient frequency to provide the workstations. That means the file server provides all of the status of the peripheral devices **simultaneously** to the workstations. Even if a plurality of workstations request to the file server the status of the peripheral devices at the same time, then the file server provides the status of the peripheral devices **simultaneously** to the plurality of workstations).

each of computers includes a status monitor for displaying the status (col. 6, lines 33-36).

As to claim 11, Onaga teaches the method is performed by the apparatus claims 1 as indicated above.

As to claim 13, Onaga teaches there inherently is have a method for designating a particular one of the plurality of printers for a particular print job (note: since there are a plurality of printers in the network, there inherently is have a method for designating a particular one of the plurality of printers for a particular print job).

As to claim 22, due to the similarity of this claim to that of claim 1, this claim is rejected as the reason applied to claim 1.

As to claim 35, Onaga teaches:

a plurality of printers (i.e., 110a to 110e in fig. 1) and a plurality of computers (150a to 150d in fig. 1) connected to the print server (i.e., 120 in fig. 1);

the print server includes a job observation module (i.e., a software within the server) for monitoring and gathering the status of the plurality of printers connected to the print server, and sends the gathered status to the plurality of computers at the same time (note: the file server

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which maintains 3 types of files 'col. 4, lines 41-42' included in a single file having information regarding all the output devices 110 in LAN 'col. 4, lines 55-58', and which provides to all of workstations 150 'col. 4, lines 62-65 and col. 6, lines 26-32' with updated and sufficient frequency "col. 5, lines 2-3").

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claim 1 and 11 above, and Webb et al. (US Patent No. 5,727,135).

As to claims 4 and 14, Onaga teaches every feature in claims 1 and 11 as indicated above except for postpone a particular print job by a user of one of computers.

Webb teaches means for a user of one of the plurality of computers to postpone a particular print job (col. 2, line 58).

It would have been obvious to modify the monitor of Onaga for postpone a particular print job by a user of one of computers as taught by Webb. The suggestion for modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Webb because Webb provides an optional object displayed in the window including the object for postpone a

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particular print job by a user . Such modification would allow the system of Onaga to control the time for print jobs to the available printer.

5. Claims 6 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claim 1 and 11 above, and Hisatake (US Patent No. 5,669,040).

As to claim 6, Onaga teaches the features in claim 1 above.

However, Onaga does not teach a waiting time for the printer which is displayed in the status monitor.

Hisatake teaches the status monitor of each of the plurality of computers includes means for displaying an operating condition in which a waiting time for the printer that is displayed in the status monitor ( U32 and U16 in fig. 14).

It would have been obvious to have modified the display means of Onaga for displaying a waiting time as taught by Hisatake. The suggestion of modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Hisatake because Hisatake provides more status options displayed in the window including the waiting time. Such modification would allows the system of Onaga to control the time of the new print jobs to the available printer.

As to claims 15-16, the combination of Onaga and Hisatake teaches the method is performed by the apparatus claim 6.

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6. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claim 11 above, and Suzuki et al. (US Patent No. 6,213,652).

As to claims 17-19, Onaga teaches the features in claim 11 above.

However, Onaga does not teach exchanging registration request and response between the computers and the print server

Suzuki teaches the computers and the print server exchange registration request and response (col. 9, lines 29-60).

It would have been obvious to have modified the system of Onaga for exchanging the registration signal between the hosts and the print server as taught by Suzuki. The suggestion of modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Suzuki because Suzuki provides the password option that allow the clients to check their print job status. This above feature would modify the system of Onaga in order to increase the security of their system.

7. Claims 10, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga, as applied to claims 1, 11 and 22, and Hamazaki (JPO Patent No. JP409212313A).

As to claim 10, Onaga teaches the feature in claim 1 above.

However, Onaga does not teach the print server includes means for calculating a waiting time for availability of each of the plurality of printers.

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Hamazaki teaches the print server includes means (i.e., a print time estimation part 109 calculates the estimated time of every print job) for calculating a waiting time for availability of the printer (See Solution).

It would have been obvious to have modified the print server of Onaga for including calculator calculates the waiting time of print jobs in a server as taught by Hamazaki. The suggestion of modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Hamazaki because Hamazaki provides that a print time estimation part for calculates the estimated time of every waiting print job. Such modification would allows the system of Onaga to control the time of the new print jobs to the available printer.

As to claim 21, the combination of Onaga and Hamazaki teaches the methods are performed by the apparatus claim 10 as indicated above.

As to claim 23, due to the similarity of this claim to that of claim 10, this claim is rejected as the reason applied to claim 10.

8. Claims 27-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Onaga and Mandel (US Patent No. 5,435,544).

As to claims 27 and 29, Onaga teaches:

A plurality of computers (150s in fig. 1) connected to at least one printer (110 in fig. 1) via the printer server (120 in fig. 1);

The print server includes a job observation module for monitoring the status of the at least one printer connected to the print server, and sends the status to the plurality of computers.



However, Onaga does not teach when the status of a printer changes, the server sends the status to the computer.

Mandel, in the same field of endeavor, teaches the printing system in the network can also automatically generate a network message back to the job senders terminal when the condition of the sending job or a printer changes (col. 1, lines 40-46).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the server of Onaga for notifying the status of a printer to the computer when status of the printer change condition as taught by Mandel. The suggestion for modifying the system of Onaga can be reasoned by one of ordinary skill in the art as set forth by Mandel because the computer receives the status of the printer without requesting by automatically receiving the report of the status changing of the printer from a server.

As to claims 31 and 33, due to the similarities of these claims to those of claims 27 and 29, these claims are rejected as the reasons applied to claims 27 and 28.

As to claims 28, 30, 32 and 34, Onaga teaches that there is a plurality of printers (110s in fig. 1) connected to the print server (130 in fig. 1).

As to claims 36-39, Onaga teaches the sender the status to the plurality of the computers simultaneously (col. 4, lines 60-65 describes that the status information from the peripheral devices is stored in a central location from which all workstations obtain it. Another important factor is that discovery need be performed only once for all intelligent peripheral devices and all workstations; and col. 6, lines 31-33 also describes that after the file server provides the devices status information to the workstations, **each** workstation 150 can read the device status file and display the device status information "col. 6, lines 29-30 and 32-33". And the device status files

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are preferably updated with sufficient frequency to provide the workstations. That means the file server provides all of the status of the peripheral devices **simultaneously** to the workstations.

Even if a plurality of workstations request to the file server the status of the peripheral devices at the same time, then the file server provides the status of the peripheral devices **simultaneously** to the plurality of workstations).

### ***Response to Arguments and Amendment***

9. Applicant's arguments filed 2/4/03 have been fully considered but they are not persuasive.

Applicant asserted that "there is no discussion about the workstation obtaining the device status information simultaneously. In fact, from a review of Figures 2, 3A, 3B of Onaga, it is clear that the process of sending the device status information from the file server 120 to the workstation 150 is initiated by the workstation 150 that requests the device status information. Accordingly, Onaga clearly does not teach that the status information is sent out simultaneously, as alleged by the Examiner ". In reply, Onaga clearly teaches that, with respect to col. 4, lines 60-65, the status information from the peripheral devices is stored in a central location from which all workstations obtain it. Another important factor is that discovery need be performed only once for all intelligent peripheral devices and all workstations; and col. 6, lines 31-33 also describes that after the file server provides the devices status information to the workstations, **each** workstation 150 can read the device status file and display the device status information "col. 6, lines 29-30 and 32-33". And col. 5, lines 2-3 teach that the device status files are preferably updated with sufficient frequency to provide the workstations. That means the file

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server provides all of the status of the peripheral devices **simultaneously** to the workstations.

Even if a plurality of workstations request to the file server the status of the peripheral devices at the same time, then the file server provides the status of the peripheral devices **simultaneously** to the plurality of workstations).

Applicant asserted that “neither of these sections make any reference to sending the status information ‘at the same time’ to a plurality of computers”. In reply, Onaga clearly teaches that the file server which maintains 3 types of files ‘col. 4, lines 41-42’ included in a single file having information regarding all the output devices 110 in LAN ‘col. 4, lines 55-58’, and which provides to all of workstations 150 ‘col. 4, lines 62-65 and col. 6, lines 26-32’ with updated and sufficient frequency “col. 5, lines 2-3”. Therefore, the updated status information is provided to all workstation in sufficient frequency. That means at the same time the updated status information is provided to all workstation.

Applicant asserted that “ Accordingly, neither Onaga nor Mandel, either by themselves or in combination, teaches the subject matter of claim 27 which includes, among other elements, a sender for sending the status to a plurality of computers when of at least one printer changes”. In reply, Mandel teaches the well known in the prior art that in the network system, the system automatically generate a network message back to the terminal the status of the job or the printer (col. 1, lines 40-46). Onaga also teaches the network terminals and the network printers. Therefore, based on the combination of the teaching in Onaga and Mandel, the network terminals of Onaga could automatically receives the changing of the status of the network printers via any device in the network.

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Applicant asserted that "The Examiner has not specifically addressed this feature of claim 31" In reply, the claim 31, which is similar to claims 27 and 29, with a new statement but the same meaning "a sender for sending the status to the plurality of computers without receiving a status request from any of the plurality of computers". The above limitation is the same as "a sender for sending the status to the computers when the status of the at least one printer changes". Therefore, claim 31 is rejected as the same as claims 27 and 29.

For the above reasons, it is believed that the cited prior art fully discloses the claimed invention and the rejection stand.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

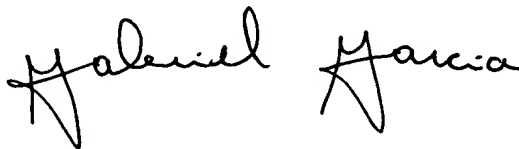
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran  
Apr. 23, 2003

A handwritten signature in black ink, appearing to read "Gabriel Garcia". The signature is written in a cursive, flowing style with a large initial "G" and a long, sweeping underline.

**GABRIEL GARCIA  
PRIMARY EXAMINER**